IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 23370 of 2004

Between:

Chakali Naganna,

S/o. Late Subba Rayudu,
R/o. H.No. 12/65, Thasil Pet,

Bethamcherla Village and Mandal,
Kurnool District.

..... PETITIONER

AND

1. The Managing Director,

   A.P. State Road Transport Corporation,

   Hyderabad.

2 The Regional Manager,

   A.P. State Road Transport Corporation,
   Kurnool Region, Kurnool, Kurnool district.

3 The Divisional Manager,

   A.P. State Road Transport Corporation,
   Nandyal, Nandyal Depot,

   Nandyal, Kurnool district.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the case of the petitioner and not passing any orders for consideration of his case to the post of Conductor or any other equivalent post on Compassionate Grounds is arbitrary, unreasonable and consequently Direct the respondents to consider the case of the petitioner for appointment to the post of Conductor or any other equivalent post as per the qualifications in the Respondents Corporation immediately and pass such other and further orders

Counsel for the Petitioner: MR.G.TUHIN KUMAR

Counsel for the Respondents: MR.P.VINAYAKA SWAMY

The Court at the admission stage, made the following :

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION No. 23370 of 2004

ORDER:

For not appointing the petitioner in any suitable post on compassionate grounds, the present writ petition is filed.

2. The grievance of the petitioner is that his father was died on 14-11-2001 while he was working as a Driver in the respondent-Corporation at Nandyal Depot. Then the mother of the petitioner gave a representation dated 16-12-2001 to the 3rd respondent to consider the case of her son for appointment on compassionate grounds. But the respondents have not taken any action.

3. The learned counsel for the petitioner contended that in spite of giving representation, respondents have not considered the case of the petitioner on

compassionate grounds.

4. On the other hand, the learned Standing Counsel appearing for the respondents opposed the same on the ground that the petitioner is not entitled for any compassionate appointment. It is not in dispute that the father of the petitioner was died on 14-11-2001 while he was working as a driver in the Nandyal Depot. The issue relates to the questions as to whether the petitioner is eligible to be appointed on compassionate grounds in any suitable post or whether any scheme is available with the respondent-Corporation for considering the case of the dependant employees, is required to be considered by the respondents 2 and 3, and they have to take appropriate decision whether he is eligible to be appointed in any suitable post on compassionate grounds.

5. On considering the submissions made by both the counsel, I deem it appropriate to give a direction to the respondents 2 and 3.

6. Therefore, the respondents 2 and 3 are directed to consider the representation of the petitioner in accordance with the Rules and Regulations of the Corporation and also in accordance with the Scheme, if any, framed by the respondent-Corporation for the appointment of petitioner on compassionate grounds, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. In the circumstances, there shall be no order as to costs.

_____ December 16, 2004

Kvr

TO

1. The Managing Director,
   A.P. State Road Transport Corporation,
   Hyderabad.

2 The Regional Manager,

A.P. State Road Transport Corporation,
Kurnool Region, Kurnool, Kurnool district.

3 The Divisional Manager,

A.P. State Road Transport Corporation,
Nandyal, Nandyal Depot,

Nandyal, Kurnool district.

5 Two C.D. Copies.